

ENTERED

July 24, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. 2:18-CR-621
	§	
GERARDO JAVIER MEDINA	§	

OPINION AND ORDER GRANTING MOTION FOR CONTINUANCE

On July 23, 2018, Defendant Medina moved for a continuance of the final pretrial conference and jury selection and trial because his counsel was unavailable (D.E. 14). The United States and material witness were unopposed to the motion.

Under the Speedy Trial Act, a district court may grant a continuance and exclude the resulting delay from the time in which a trial must commence if it makes on-the-record findings that the ends of justice served by granting the continuance outweigh the public's and defendant's interests in a speedy trial. 18 U.S.C. § 3161(h)(7).

Having considered the Defendant's motion, the Court finds that the failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, the Court finds that the ends of justice are served by granting a continuance in this case and outweigh the best interests of the public and Defendant in a speedy trial, and the period of the continuance is excluded from speedy trial computation.

The Court **GRANTS** the Defendant's motion and **CONTINUES** the final pretrial conference until August 29, 2018, at 10:00 a.m. before undersigned and schedules

the jury selection and trial for September 10, 2018, at 9:00 a.m. before Hon. Nelva Gonzales Ramos.

ORDERED this 24th day of July, 2018.

A handwritten signature in cursive script, reading "B. Janice Ellington", is written over a horizontal line.

B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE